

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

February 5, 2007

A meeting of the City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

#### Present

Harold Sanger, Chairman  
Michael A. Schoedel, City Manager  
Steve Lichtenfeld, Aldermanic Representative  
Mark Zorensky  
James Liberman  
Debbie Igielnik  
Marc Lopata

#### Absent:

None

#### Also Present:

Catherine Powers, Director of Planning & Development Services  
Jason Jaggi, Planner  
Kevin O'Keefe, City Attorney (arrived at 5:50 p.m.)

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

#### MINUTES – MEETING OF JANUARY 16<sup>th</sup>, 2007 PLAN COMMISSION/ ARCHITECTURAL REVIEW BOARD

The minutes of the meeting of January 16, 2007 were presented for approval. The minutes were approved after having been previously distributed to each individual member.

#### PUBLIC HEARING – ZONING ORDINANCE (CHAPTER 22) TEXT AMENDMENT (REGARDING RESTAURANT EMPLOYEE PARKING)

Catherine Powers explained that this is a request to permanently eliminate the requirement that restaurants located in the Central Business District (CBD) that are under 3,000 square feet have to provide off-street parking for their employees. She stated that in June of 2006, this Commission voted to again approve a 6 month moratorium of the requirement in order to provide staff the opportunity to study/ monitor the effects of the moratorium. She stated that the moratorium has been in effect for about 1 ½ years now. She advised the members that a letter has been submitted by the City's Police

Chief (copy provided) indicating that there have been no appreciable change in parking within the CBD as a result of the moratorium and that there has been no problem with an increase in illegal parking and therefore, the Police Department does not oppose permanently eliminating the subject restriction. Catherine indicated that staff is now asking that the restriction be permanently eliminated and that the recommendation be forwarded to the Board of Aldermen for their consideration.

Chairman Sanger asked if this public hearing was advertised as such.

Catherine Powers replied “yes”.

Chairman Sanger called for a motion to open the public hearing.

Debbie Igielnik made a motion to open the public hearing. The motion was seconded by Marc Lopata and unanimously approved by the Commission.

Chairman Sanger solicited comments from the members.

Steve Lichtenfeld asked if this moratorium has been in effect for a complete season.

Catherine Powers replied “yes”.

Chairman Sanger asked what effect this moratorium has had on the Bread Company on Clayton Road.

Catherine Powers replied “none”. She explained that this moratorium only effects restaurants in the CBD; not those outside the CBD.

Chairman Sanger asked if there is a formula used for determining the number of employee parking spaces required like there is for determining the number of customer parking spaces required.

Catherine Powers replied “no”. She stated that it is simply based on the number of employees working any given shift.

Mark Zorensky questioned if all ramifications are being considered. He stated that by eliminating the requirement that restaurants provide their employees off-street parking, it is generating more revenue for the restaurant through, for example, valet parking. He stated this situation encourages patrons to pay for valet service which results in more revenue for the restaurant. He stated that Clayton has a serious parking problem.

Catherine Powers commented that it is very doubtful that the employees were utilizing the off-street parking spaces anyway.

Mark Zorensky stated that there is the need to find another way to solve the parking problem.

Debbie Igielnik questions if there are an increased number of customer complaints as a result of the employees parking on the street.

Catherine Powers indicated that we have not received customer complaints.

Chairman Sanger stated there is a need for restaurants to survive and be competitive.

Jim Liberman asked if the total number of employee spaces is known.

Catherine Powers indicated that generally, restaurants are required to have 2 or 3 employee spaces, for a total of about 120 spaces. She reminded the members that restaurants are the only entity required to provide these employee spaces; retail establishments are not.

Mark Zorensky commented that restaurants have more employees than retail establishments.

Mr. Bryan Carr, Pomme Restaurant & Pomme Café & Wine Bar, stated that his business started when the moratorium was already in effect, so he cannot compare the difference. He advised the members that he makes no money off valet parking as it is contracted out, and that actually, it is a cost to him.

Chairman Sanger asked where his employees park.

Mr. Carr indicated that most of them park at the 10 hour meters along Maryland between Bemiston and Hanley. He stated at 5 p.m., they generally move their vehicles to the Gershman lot. He stated that truthfully, some of them park in violation of the parking limit. He stated that he pays the valet company he contracts with \$100/month for the valet service.

Mark Zorensky commented that it is the restaurant owner's responsibility to ensure their employees are parking where they are supposed to.

Ms. Carr stated that she, too, is frustrated with the parking situation. She stated they lease 2 spaces from Gershman and that she cannot park there.

Mr. Carr questions how he is supposed to enforce where his employees park.

Mr. Bob Candice, Candicci's Restaurant, indicated that he has not seen a problem. He stated he cannot regulate where his employees park.

NOTE: Kevin O'Keefe arrived.

Marc Lopata stated we assume this is working because there have been no negative comments. He stated it is difficult to find a place to park.

Catherine Powers commented that this was probably the case three years ago as well.

Mike Schoedel stated that approximately 2 ½ to 3 years ago, the City met with restaurant owners and this issue was discussed. He stated that the owners were paying about \$80 per parking space and that the employees were not using the spaces anyway and that is why this study has been conducted for the last 1 ½ years.

Debbie Igielnik stated she agrees that parking is a problem, although she has no issue with this change.

Jim Liberman stated this is a way to help out restaurant owners.

Chairman Sanger stated that although he realizes there is no way to legislate the use of Metro Link, it is a way for restaurant owners to encourage their employees to use it.

Marc Lopata stated that saving restaurant owners \$3,000/year for providing off-street employee parking is an incentive for the restaurants to remain in Clayton.

Steve Lichtenfeld indicated that he supports the change.

On motion of Jim Liberman and seconded by Debbie Igielnik, the Commission voted unanimously to close the public hearing.

Being no further questions or comments, Debbie Igielnik made a motion to recommend the text amendment so as to permanently eliminate the off-street employee parking requirement to the Board of Aldermen. The motion was seconded by Jim Liberman and received the following vote: Ayes: Chairman Sanger, Steve Lichtenfeld, Mike Schoedel, Jim Liberman, Debbie Igielnik and Marc Lopata. Nays: Mark Zorensky.

CONDITIONAL USE PERMIT/ARCHITECTURAL REVIEW – RENOVATION OF DETACHED POOL HOUSE FOR USE AS A SECOND UNIT - #3 CARRSWOLD

Ms. Kim Richardson, project architect, and Mr. Scott Wilson, owner, were in attendance at the meeting.

Catherine Powers explained that this is an application for Conditional Use Permit (CUP) to allow the conversion of an existing detached pool house to a 491 square foot second unit. The proposed project primarily involves interior renovations of an existing structure. A Conditional Use Permit is required because the structure provides a kitchen, bath, sleeping and living space as designated by the Building Code. The owners anticipate the use as a second unit for occasional use by visiting relatives. As a second unit, the structure must meet the requirements as contained in the City's Zoning Ordinance, Article 2, Section 2.21. She stated staff's recommendation is to recommend approval of the CUP to the Board of Aldermen.

Ms. Richardson presented elevation drawings to the members. Additionally, a photo of the structure was distributed amongst the members. She stated that primarily, the renovations will take place on the interior of the structure (i.e. update the restrooms, add a laundry room and a guest sleeping area). She stated the structure will still be used as a pool house and will only be used for sleeping purposes occasionally for relatives and/or guests.

Chairman Sanger asked if the pool house currently has restrooms.

Ms. Richardson replied "yes".

Jim Liberman asked if the structure is currently heated/cooled.

Ms. Richardson replied "yes".

Mark Zorensky asked the location of the condenser unit.

Ms. Richardson indicated that it is behind the building (on the east side of the structure).

Mark Zorensky asked if the Trustees have signed off on the proposal.

Mr. Wilson replied “yes”. He stated two of the three Trustees have signed-off.

Mark Zorensky asked if the third Trustee has reviewed the proposal.

Mr. Wilson replied “no”. He stated he did not present the proposal to the third Trustee since he had already received two of the Trustees’ signatures as required by the City.

Catherine Powers referred to a letter that was received by staff earlier in the day from Mr. Michael Kohn indicating that the Carrswold indentures do not permit second units. Catherine reminded the members that the City does not enforce indentures. She stated that second units were added to the Zoning Ordinance during the 2000 comprehensive update and that second units are only permitted in the R-1 and R-2 Zoning Districts. She stated this proposal meets all the requirements set forth by the Ordinance and that Trustee approval has been obtained.

Chairman Sanger stated that indenture enforcement must be done on a civil basis.

Catherine Powers agreed.

Jim Liberman asked if there are other second units in the Carrswold Subdivision.

Jason Jaggi replied “yes”. He stated that a second unit was approved in April of last year for 26 Carrswold. He stated the CUP runs with the property, but that any future owners must also comply with the Zoning Ordinance regulations.

Marc Lopata asked if the Fire Department has reviewed the plans.

Catherine Powers stated that Fire Department review takes place during the permitting process.

Being no further questions or comments, Steve Lichtenfeld made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen per staff recommendations (compliance with Zoning Ordinance Article 2, Section 2.21). The motion was seconded by Debbie Igielnik and received unanimous approval.

The architectural aspects of the project were now up for review.

Catherine Powers explained that only minor changes to the exterior are proposed. On the west elevation, new main entry double doors are proposed and the existing single doors will be replaced with “fixed” doors with transom windows. On the north elevation, the existing door will also be removed to be replaced with a fixed door and transom window. Staff believes these revisions are consistent with the use of the building as a second unit and recommends approval as submitted.

Ms. Richardson explained the revisions and presented elevation drawings.

Being no questions or comments, Mark Zorensky made a motion to approve as submitted. The motion was seconded by Mike Schoedel and unanimously approved by the Board.

Mark Zorensky asked Mr. Wilson to show the proposal to the third Trustee.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW - NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 301 N. FORSYTH

Mark and John Rodgers, owners/developers, were in attendance at the meeting.

Catherine Powers explained that the proposed project is the subject of a rear yard variance that was approved by the Board of Adjustment on December 7, 2006. The project consists of a 2-story, approximate 29.7 feet in height, 6,210 square foot (including basement and garage) brick single-family residence with a two-car at grade side entry garage. Access to the residence is provided via a shared driveway along the northwest side of the property. The Clayton Gardens Urban Design District (UDD) requires impervious coverage not to exceed 40% for front entry garages. The UDD definition of a front entry garage includes any garage having its vehicular access in the front third of the structure. The plans indicate that the existing impervious coverage is 4,495 square feet or approximately 34% of the site. The new plans show impervious coverage at 4,880 square feet or 36% of the site, representing an increase of 2%. A storm sewer was constructed as a condition of approval in July 2005 to allow the construction of a new single family residence at 311 North Forsyth. This storm sewer is located within an easement in the back yard of the subject property. The applicant is proposing to connect all downspouts and area drains to this storm sewer, which should mitigate any potential storm water problems and represents an improvement over current conditions. Trash will be stored within an enclosure on the northwest side of the residence accessible from the drive and screened with a brick wing wall and ornamental gate. The HVAC units are located next to the trash enclosure greater than 5-feet from the side property line and are also screened with a brick wing wall and gate. There appears to be ample space to provide clearance for installation. There are 8-caliper inches of trees which will be removed from the site. The applicant will provide 10-inches of replacement trees. The City's contracted landscape architect has reviewed the landscape plan and indicates that several trees on the back property line will be impacted by the sewer connection. The applicant has indicated on the plans that the City's Tree Protection standards are to be followed. Staff's recommendation is to approve the site plan as submitted.

Mr. Mark Rodgers stated that he and his brother, John, are also the developers of 311 N. Forsyth, which is 90% complete. He stated the subject property is a corner lot. He stated they believe the house to be a beautiful design that will compliment the neighborhood. A site plan and contextual drawing was presented to the members.

Marc Lopata asked about the variance.

Jason Jaggi explained that in order to keep the orientation of the house the same as existing, a rear yard variance was required. He stated the Zoning Ordinance stipulates the location of the side and rear yards and that the true "side" yard is determined to be the "rear" yard as defined by the Ordinance. He stated the orientation of the house will remain the same.

Mr. Mel Disney, Clayton Resident and member of the City's Board of Adjustment, referred to a sewer easement on the property and its relation to the deck.

Jason Jaggi indicated that he does not believe the deck encroaches within the easement, but that if it did, MSD would need to approve such encroachment.

At this time, a brief discussion regarding the front yard setback ensued. Chairman Sanger stated he believed it to be appropriate that this house lines up with the others on the block.

Marc Lopata recommended that the developer secure the construction site better, as windows have been broken out of the existing structure and could become a harboring place for animals. He stated the trench is also currently unprotected.

Mr. Rodgers indicated that he would look at the site tomorrow and make sure it is secured.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve the site plan as submitted. The motion was seconded by Mike Schoedel and unanimously approved by the members.

The architectural aspects of the project were now up for review.

Catherine Powers explained that the residence, featuring an at grade, side entry two car garage, is proposed to be constructed of gray smooth textured brick; mortar color has not been specified. Windows will be double-hung, black in color. According to the applicant, the garage door is to be steel panel, white in color. The driveway, constructed of exposed aggregate concrete, is shared with 311 North Forsyth. The roofing material will be architectural shingles, gray in color. Trash will be located in an enclosure off the driveway turnaround screened with a brick wing wall and ornamental gate. The HVAC units are adjacent to the trash area and are also screened with a brick wing wall and metal gate. Catherine indicated that staff has a concern regarding the prominence of the front entry and the gray color brick. Therefore, staff would recommend approval with the condition that the front entry be revised and approved by the ARB and that the gray brick be changed to a reddish color brick to be more consistent with other area residences.

Mr. Rodgers advised the members that the stone around the front door as originally submitted has now been changed to brick to better fit in the neighborhood.

Chairman Sanger asked the sale price of the home.

Mr. Rodgers stated the list price is \$1.5 Million. He stated the finished square footage is close to 5,000 square feet.

Mark Zorensky commented that he believes the front window is too large (tall).

Mr. Rodgers indicated that they were looking for a dramatic entryway.

Jim Liberman asked about the brick.

Mr. Rodgers presented a sample of the proposed gray brick as well as a sample of brick featuring red tones that is proposed for use in place of the gray as a result of staff's recommendations. He stated the mortar color would be natural. A sample of the pre-cast stone, roof and window were also presented.

Mark Zorensky stated he is uncomfortable with the appearance of the 2<sup>nd</sup> floor and would like this to be continued in order for a redesign of the front entry.

Steve Lichtenfeld agreed that the tall window is out of place. He stated he, too, would like to see the front entryway re-worked and resubmitted for consideration.

Mark Zorensky stated he does not believe that they would need to bring in material samples a second time.

Being no further questions or comments, Mark Zorensky made a motion to table this item to the next meeting. The motion was seconded by Steve Lichtenfeld and unanimously approved.

CONCEPTUAL REVIEW – COMMERCIAL DEVELOPMENT – 7700-7736 FORSYTH, 21 SOUTH HANLEY AND 7711, 7733 CARONDELET – CENTENE CORPORATION

The following individuals spoke on behalf of the project:

Mr. Bob Wislow, CEO of U.S. Equities Realty  
Mr. Gyo Obata, project architect (HOK)  
Mr. Bob Clark, President of Clayco Construction  
Mr. Roark Frankel, U.S. Equities Realty

Others in attendance representing the project were:

Mr. Lance Case, Clayco Construction  
Mr. Jim Ray, Centene Corporation  
Casandra Francis, U.S. Equities Realty  
Mr. Tim Gaidis, HOK  
Mr. Jim Fetterman, HOK

Catherine Powers explained that this is conceptual review of the Centene Plaza Project to be located at 7700-36 Forsyth, 21 S. Hanley and 7711 & 7733 Carondelet. The project will be a mixed-use office and retail development consisting of a 21 story office/retail tower at the corner of Forsyth and Hanley. This tower building will be connected to an approximate 10 story office/retail building to the south at the Corner of Carondelet and Hanley. The project will include an outdoor plaza area and approximately 31,000 square feet of ground floor retail beneath a 6 story parking garage along Forsyth. Centene anticipates approximately 51,900 square feet of retail and 734,800 square feet of office space. Catherine indicated that these figures represent rentable square footage versus gross square footage so therefore, the figures will be greater once converted to gross square footage. Currently, there are 332 parking spaces available at 7733 Carondelet and Centene is proposing an additional 1,700 parking spaces. Catherine indicated that while this project is not a Transit Oriented Development (TOD), it is near to both the Central Avenue and Forsyth Metro Link stations and therefore, it is anticipated that Centene employees will take advantage of the proximity to these stations and utilize Metro Link.



Catherine stated that many of the site aspects such as storm water mitigation and trash disposal still need to be defined, however, the site plan presented for this conceptual review will be consistent with the upcoming formal submittal. This project will provide world class headquarters in the Clayton CBD employing over 900 individuals and will act as a catalyst to the redevelopment of Forsyth Boulevard. Staff asks that the proposal be reviewed and that the developer be provided input regarding the project.

Mr. Wislow introduced himself and other members of the team. He thanked Catherine and Jason for all of their help during this initial phase of the project. He stated that his company was chosen about 6 months ago to do this project. He stated that he is very excited about the project and hopes it to be similar to a mixed-use retail/office project done in Toronto. He informed the members that the gross square feet of office is 810,000 (735,000 rentable) and the gross square feet of retail is 45,000, which is to be located under the garage and at the base of both buildings. He stated the project could ultimately house over 2,500 employees (900 new). A color site plan was presented along with a floor plan rendering at the Forsyth grade level. He reminded the members that this is still very conceptual and that size, massing and traffic, both auto and pedestrian, are being carefully considered. He stated that he will now touch somewhat on the design of the tower buildings, which are connected. He stated that their goal is to provide a hi-tech, contemporary commercial building with floor to ceiling glass so as to receive a lot of natural light. He stated they hope to energize Forsyth with a wonderful retail opportunity. He referred to the independent garage, which will provide 1,700 parking spaces. The garage will be accessed via Forsyth and the alley to the south. He stated that the office portion will consist of two interconnected tower buildings, one at 21 stories and the intersecting tower at 9 stories. He indicated that Centene requires a large floor plan.

Steve Lichtenfeld asked if the buildings could be extended later if necessary.

Mr. Wislow replied “no”. He stated he believes the spaces will rent very well. He stated that a wonderful courtyard is also part of the project and that retail space has been wrapped around the side of each building. He stated the elevated plaza area can be accessed from stairs leading from Carondelet. He stated there will be three areas of retail with square footages at 13,000; 20,000 and 13,000.

Marc Lopata asked if the low rise elevators on the south are exclusively for Centene’s use.

Mr. Wislow replied “yes”.

Jim Liberman asked if Centene were to vacate the premises, if it would be difficult for someone else to use.

Mr. Wislow indicated that Centene’s floor plate is about 50,000 square feet and that if Centene were to leave, the building could be made to look like one building or could be segmented (converted) if necessary.

Steve Lichtenfeld asked if the building could be pulled back to provide an additional lane on Hanley.

Catherine Powers stated that the initial traffic study is not calling for another lane on Hanley.

Mr. Wislow indicated there is no need for another traffic lane as they avoided penetrating the site from Hanley Road.

Debbie Igielnik commented that there will be an additional 2,500 people accessing the site.

Steve Lichtenfeld stated that hopefully, development will not cease with this project.

Chairman Sanger suggested that Hanley Road be studied further to the south.

Mike Schoedel stated that clearly, the traffic study is a draft. He gives them credit for looking at the whole approach.

Mr. Wislow referred to the east side of Hanley; the Crescent and Orchard Projects. He stated that they began meeting with the owners of those developments and that a suggestion of a pedestrian bridge to allow pedestrian flow across the street was made. He stated that they do not want people off the street; they want them on the street, however, there are crosswalk challenges (i.e. traffic signals, landing area) and wants to accentuate pedestrian flow. He stated the project was not designed to build to the edge and that the sidewalks could be widened.

At this time, the Carondelet Avenue grade level plat was presented, which includes a garden with a 15-foot water feature along Hanley, some retail and an outdoor plaza area at Hanley and Carondelet. He stated there is potential auditorium space for Centene's use in the tall tower.

Mr. Wislow reminded the members that there is a 30-foot slope in the one block area between Forsyth and Carondelet. He stated that truck traffic will all be contained under the elevated plaza.

Mark Zorensky asked how often there will be truck traffic.

Mr. Wislow indicated that there will be a lot of truck traffic due to the large amount of retail, Centene and waste removal, some of which could be done on a daily basis.

Mike Schoedel commented that the Pierre Laclede building generates about 10 semi trucks per day.

Mr. Wislow stated that all truck traffic will access the site via Carondelet and exit out Bemiston.

Marc Lopata asked how many trucks per day is anticipated.

Mr. Wislow replied between 8 and 12. Mr. Wislow then presented the office terrace/roof level plan, depicting the green roof for the lower tower. Elevations from the Ritz were also presented. Mr. Wislow stated that the mechanical equipment will be housed on the roof of the tall tower.

Steve Lichtenfeld asked if the retail along Forsyth will have access to Hanley.

Mr. Wislow replied "yes". Initial color renderings of the buildings were presented.

Mike Schoedel asked if the buildings are square.

Mr. Wislow indicated they are perfect rectangles.

Jim Liberman asked how they will handle making the buildings attractive.

Mr. Wislow indicated that a true curtain wall system will be used.

Mr. Obata stated they are going to try to make the buildings the most elegant glass buildings in the St. Louis area.

Mr. Wislow reminded the members that this project is still in a very conceptual stage.

Jim Liberman asked if the project will be LEED certified.

Mr. Wislow replied “yes”. He indicated the building will be core and shell certified, but that the energy conservation will not stop there.

A discussion regarding a timeline ensued. Mr. Frankel stated they are going to attempt to construct the entire project in one phase (9 to 11 months) and that the parking will be consistent with the opening of the building. He stated the staging areas will be kept on-site. He stated he hopes many of the construction workers will utilize Metro Link. He stated there are many parking spaces available within walking distance that could be leased if necessary. He stated the Plaza has 250 spaces available.

Chairman Sanger asked the difference between this presentation and the original.

Mr. Wislow indicated that the original proposal called for two separate buildings with parking beneath each and that it also called for inter-phased construction.

Chairman Sanger asked what is going to happen to the current Centene building.

Mr. Wislow indicated that it is being renovated.

Chairman Sanger questioned what the buildings will look like at night.

Mr. Wislow stated that lights will be able to be seen from outside in the evening, since the cleaning crews will come in at that time. He stated the lights will go out by 10:00 p.m. He stated they are considering lighting effects for the top of the building.

Mike Schoedel asked about light spill over.

Mr. Wislow stated there will not be as much light spill over as there would be with a clear glass building. He stated the lighting will be a hi-tech indirect lighting system.

Steve Lichtenfeld commented that he is excited about the entry court along Forsyth and the garden area, but that he finds no excitement at the corner of Hanley and Forsyth.

Mr. Wislow stated that they will take a look at that issue. He indicated that there will be no darkened windows, even for the restaurant space.

Steve Lichtenfeld stated he sees no visual excitement or activity at the corner of Hanley and Forsyth. He stated this is a very high traffic intersection and would like to see pedestrian activity at this corner.

Mark Zorensky stated his disappointment with the two rectangular buildings. He suggested adding more interest to the buildings.

Mr. Obata stated the strength of the design is the two rectangular buildings.

Mark Zorensky stated he was hoping for more (in terms of design).

Mr. Obata reminded the members that these buildings are totally glass.

Mr. Clark stated that these buildings will not be made of cheap glass.

Mark Zorensky indicated that he realizes what they are trying to accomplish, but that he was hoping for something different with more detail.

At this time, a brief discussion regarding Hanley traffic ensued. The members were assured that they are looking at the traffic situation.

Chairman Sanger stated that this is a very exciting project, is thrilled about it and believes that is the general consensus. He stated he looks forward to their formal presentation.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 8:05 p.m.

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Recording Secretary